

(Translation)



Dispatched on August 12, 2002

Notification of Reason for Rejection

Dated: August 8, 2002

To: Mr. M. Nakamura, et al., agents for the applicant

From: K. Aoki, Examiner of the Patent Office

Patent Application No. 2000-588978

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Technology Center 2600

The above mentioned application is considered to be subject to rejection on the grounds set out hereunder. If the applicant has anything to say, he should file an argument within three months from the date of dispatch of this document.

Ground I

The invention under the present application is considered to have been easy to invent for those skilled in the art on the basis of the invention described in the following publication which was circulated in Japan prior to the present application and, therefore, it is considered unpatentable in view of the provisions of Article 29, Para. 2 of the Patent Law.

Reference No. 1: International Publication No. WO98/45966 (see Japanese Patent Application Public Disclosure No. 2001-519123)

Reference No. 2: Japanese Patent Application Public Disclosure No. 10-136423

Reference No. 3: Japanese Patent Application Public Disclosure No. 8-79160

Reference No. 4: Japanese Patent Application Public Disclosure No. 9-46290

Regarding the claims 1 to 14 now on file, the above Reference No. 1 discloses that a priority (class) is set for each subscriber and the maximum value of transmission rate of a line allocated is determined according to the priority. The above Reference No. 2 discloses that the subscriber class is obtained from the home memory (data base). A system wherein the maximum value of transmission rate allocated to the subscriber is obtained from the home memory as in the present invention is considered to be obvious to those skilled in the art from the disclosures in the cited Reference No. 1 in view of the disclosures in the cited Reference No. 2.

Incidentally, it is considered to be publicly well known that for transmission from a terminal the transmission speed to be requested is informed to the base station and negotiation for the transmission speed is effected in the base station. Reference should be made to the above Reference No. 3 (see particularly the abstract thereof) or the above Reference No. 4 (see particularly the columns [0018] and [0019] thereof).

Therefore, the inventions as defined in the claims 1 to 14 are considered to be only a matter easily thought of by those skilled in the art on the basis of the disclosures in the cited Reference Nos. 1 to 4.

Ground II:

The invention described in this application is found to be identical with the invention described in the specification and/or drawings initially attached to the following application which is filed at a date earlier than and publicly disclosed at a date later than the filing date of this application. Furthermore, neither is the inventor named in this application the same person as the inventor of the invention under the earlier application nor is the applicant in this application the same person as the applicant in said earlier application for Patent. Consequently, this application is ineligible for patent in accordance with the provisions of Article 29 bis of the Patent Law.

Reference No. 5: Japanese Patent Application No. 10-133319 (see the Japanese Patent Application Public Disclosure No. 11-331187)

Regarding the claims 1 to 14 now on file, the inventions as defined in the claims 1 to 14 are considered to be identical with those disclosed in the above Reference No. 5 (see particularly the claims 1 and 4 and the descriptions in the column [0082] thereof).